

### Monuments Control.

The United States Land Department has recently rendered a decision to the effect that in the event of any error in the description of mineral surveys or of the line tying the claim survey to a government land survey corner, the monuments must control, which is quite at variance with the position taken by that department nearly two years ago, when there was much controversy over this subject. On April 28, 1904, Congress amended Section 2327 of the Statutes in such a manner that this principle is clearly enunciated, and the recent decision of the United States General Land Office referred to is in direct line with the amendment, and was no doubt influenced by it to a great extent, so that hereafter there need be no apprehension when an error is detected in the survey of a mineral claim for a patent, as, regardless of all errors, the monuments must control. This was the position taken by the Mining and Scientific Press of San Francisco, in the latter part of 1903, when the Land Office at Washington caused consternation throughout the mining states of the west by announcing that the surveys must stand, and that the "calls" of the United States deputy mineral surveyors must take precedence over monuments and everything else. The decision was manifestly so unjust, and so contrary to the purpose and intent of the law, that there was no hesitancy in declaring even at that time that the monuments must control, and any case wherein this question was the issue the United States Supreme Court would decide in favor of the claim owner and against the decision of the Land Office. So earnestly did the miners of the west take up and combat the proposition that Congress quickly recognized the necessity of settling the point for all time, and amended the section bearing upon this matter, as above stated, and the Land Office now falls in line and announces a decision in exact conformity with the amended law.

### Golden Suit Decided.

The jury in the case of Frank Golden against O. A. Turner, in the United States Circuit Court, at San Francisco, has returned a verdict in favor of the defendant, O. A. Turner. Mr. Golden will probably appeal the case to the Court of Appeals.

The suit was to determine the ownership of 5000 shares of stock in the Tonopah Mining Co., which it was alleged, Turner was to deliver. The value of the stock is in the neighborhood of \$40,000. Golden claimed that Turner agreed to sell him 2500 shares of preferred and 2500 shares of the common stock of the company and that \$250 was paid to him for the same.

Immediately after this alleged transaction, which occurred three years ago, the stock of the company soared and is now worth much more than the original price offered.

### Judge Hoggatt Sues.

The following from the Denver Post is self-explanatory:

"Judge Volney T. Hoggatt of Goldfield, Nevada, today filed suit in the United States Court against T. M. Patterson and the News and Times. Twenty-five thousand dollars damages is asked from each publication. The suit is the result of alleged libelous attacks upon Judge Hoggatt a few months ago when the News-Times published certain articles about mining companies in Goldfield, Nevada."

### Temporary Quarters.

The Nye County Mercantile Company, for the present, are doing business in Main street. Work is rushing on the new building; there is no let up day or night, for under the glare of electric lights men are busy excavating. The company hopes to have the new store ready for occupancy in forty days and when their stock has been transferred will move their old store building away. They have built a bridge sidewalk for the convenience of their patrons and the general public.

### Beautiful Women.

Pump cheeks, flushed with the soft glow of health and a pure complexion, make all women beautiful. Take a small dose of Herbine after each meal; it will prevent constipation and help digest what you have eaten. Mrs. Wm. M. Stroud, Midlothian, Tex., writes, May 31, 1901: "We have used Herbine in our family for eight years; and found it the best medicine we ever used for constipation, bilious fever and malaria. Sold by Union Drug Stores Tonopah and Goldfield."

### Smelter at Yerington.

L. H. Thompson, representing the Nevada Smelting Company, has been in Yerington for several days projecting a plan to erect a smelting plant in that vicinity, provided he can get the assurance of the mine and prospect owners in that locality to furnish the concern with ore. He agrees to work the ore for \$10 per ton, and pay the New York market value of copper in all ores in cash after sampling same. Mr. Thompson's company is now negotiating for the purchase of the old Boston-Nevada smelter.

### Senator Oddie Brings Suit.

Senator Oddie and associates brought suit this week against Detch, McMullen and McCormick to enjoin them from trespassing on the Bullfrog-Eclipse property at Goldfield. Judge Green, who was at Battle Mountain, signed the papers and issued an injunction as prayed for.

### THE TIDEWATER ROAD.

#### "Borax" Smith Resumes Work On His Railroad.

About 40 miles west of Darggett on the Santa Fe railroad, at the little station Ludlow, "Borax" Smith has again begun construction of his proposed railroad to the Lila C. borax mine in Death Valley, and ultimately to Bullfrog, Goldfield and Tonopah. The line will be run almost due north from Ludlow, a distance of 120 miles to the Lila C. mine. It will cross the Salt Lake railroad at Soda Lake, and follow the wash of Soda Lake north to destination.

Men and teams are now at work grading northward from Ludlow, says the Las Vegas Age, and unless something happens the route of the Borax railroad may be considered finally settled.

Soda Lake is practically the southern extension of Death Valley. In the mountains on either side of the new railroad are great mineral deposits which will be opened by the transportation facilities now offered.

The Lila C. borax mine is in Death Valley, California, just south of the Nevada line, and is one of the greatest borax ledges in the world. The mine is in a low lava-capped hill, through which tunnels have been driven to determine its extent. The ledge averages probably twenty feet in thickness and is about 40 per cent pure. Only a few men are now at work in the mine, blocking out the borax and getting ready for active business when the railroad is completed. The mine cannot be worked successfully without transportation facilities.

About thirty miles northwest of the mine in Death Valley is the famous Borax Ranch, where fifty acres of good lands are irrigated by the waters of Furnace Creek. For years this ranch has been an oasis in the Valley of Death.

With the construction of the Borax railroad the mines of the Funeral range and the Panamint will feel the benefits of transportation facilities. The road, which is known as the Tonopah & Tidewater, will construct north from the mine to Tonopah, via, Beatty and the Bullfrog country and tap the rich mines of that region.

### MINING CONCENTRATES.

A great deal has been written on the genesis of the diamond, but up to the present time none of the theories advanced satisfactorily account for its occurrence.

If pending patent proceedings the owner of an unpatented mining claim fails to perform the necessary assessment work, the claim becomes subject to relocation.

Where ores are so soft as to require no blasting, the greatest care is necessary in their extraction under all conditions, excepting the open cut work. If stoping underground is attempted in rock of this character, the stopes must be carried up in small vertical areas. Timber must be promptly placed and filling run in as soon as possible and kept well up with the progress of excavation.

Idaho is the heaviest lead producer in the United States, its production of this metal in 1903 being 99,590 short tons. Utah is second in the list with 51,129 tons to its credit for the same period. Following in the order named, in the production of lead, are Colorado, Montana, Nevada and Oregon.

### ABSCESS.

Abscesses, with few exceptions, are indicative of constipation or debility.

W. H. Harrison, Cleveland, Miss., writes, Aug. 15, 1905: "I want to say a word of praise for Ballard's Snow Liniment. I stepped on a nail which caused the cords in my leg to contract and an abscess to rise in my knee, and the doctor told me that I would have a stiff leg, so one day I went to J. E. Lord's drug store (who is now in Denver, Colo.) He recommended a bottle of Snow Liniment; I got a 50c size, and it cured my leg. It is the best liniment in the world. Sold by Union Drug Stores, Tonopah and Goldfield."

### Tonopah Wins Again.

The Tonopah ball team proved an easy winner in the contest with Goldfield, on the Goldfield diamond, last Sunday afternoon, the score at the finish being 23 to 4. Gaskett and Brown was the battery for Tonopah and did fine work. Manager Kelly feels confident of winning the tournament at Goldfield on Railroad Day, with his team of champions.

### Visited the Seaside.

Dr. J. A. Uhland, of the Miners' drug store, arrived home from Santa Cruz Saturday night, accompanied by Mrs. Uhland. They spent ten days at the seaside and had a most enjoyable time.

### Sheriff Bradley of Esmeralda county spent Labor Day in Tonopah.

The Second Assistant Postmaster General has advertised for bids for carrying the mail between Lida and Goldfield, six times a week, from October 24, 1905 to June 30, 1906.

There were many strangers in town on Labor Day and the Merchants' hotel was their headquarters. The Merchants' is certainly the popular stopping place of Tonopah and in fact of the desert.

The Mizpah cafe and grill is open at all hours and there are private rooms for ladies and families. The best market affords and the service is unexcelled anywhere.

### MISCELLANEOUS.

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Two-thirds of the capitalization in the treasury.

The Stock is absolutely full paid and non-assessable

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The Big Elk Gold Mines Co.

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5c. BOX M. GOLDFIELD, NEV. 5c.

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has all their virtues—none of their deadly effects. HERBINE taken regularly will forestall headaches, cure the digestive organs in perfect condition, head off biliousness, headache, liver ills, keep you in good health.

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